

4



Docket No.: 10122/005003
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Toshihiro Fukuda et al.

Application No.: 10/804,836

Confirmation No.: 7548

Filed: March 19, 2004

Art Unit: 3611

For: MOTOR-OPERATED POWER STEERING
APPARATUS

Examiner: T. H. Winner

REQUEST TO CLARIFY CLAIM FOR PRIORITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22511
PATENT TRADEMARK OFFICE

Dear Sir:

The Declaration in this application, a copy of which is attached, makes reference to three prior foreign applications:

1. Japan – 2000-220404 filed July 21, 2000;
2. Japan – 2000-220405 filed July 21, 2000; and
3. Japan – 2002-272830 filed September 19, 2002.

Priority was claimed from the first and second of the above applications but *not* the third. However, in the publication of December 9, 2004, the third Japanese application was erroneously included in the foreign application priority data (a copy of the first page of the publication is enclosed).

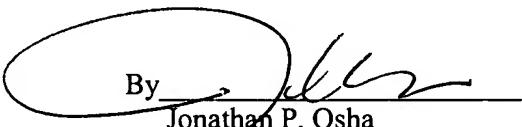
Accordingly, applicant respectfully requests that the records of the U.S. Patent and Trademark Office be corrected to clarify that priority is not claimed from the 2002-272830 application, so that any patent that may issue from the instant application correctly lists only the two Japanese applications from which priority is actually claimed.

No petition is believed necessary for this request, however, if a petition is deemed necessary, please consider this paper as such, and charge the necessary fee to applicant's Deposit Account No. 50-0591, under Order No. 10122/005003 from which the undersigned is authorized to draw. Should there be any questions, please feel free to contact the undersigned at the telephone number below.

Dated: May 30, 2006

Respectfully submitted,

By _____


Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

COPY

PTO/SB/106 (8-95)

Approved for use through 4/30/98. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

PTO Customer No.
22511

以下の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、郵便番号、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MOTOR-OPERATED POWER STEERING APPARATUS

上記発明の明細書（下記の欄でx印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

一月一日に提出され、米国出願番号または特許協定条約国際出願番号を _____ とし。
(該当する場合) _____ に訂正されました。

was filed on March 19, 2004
as United States Application Number or
PCT International Application Number
10/804,836 and was amended on
(if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条516項に定義されるところ、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration (日本語宣言書)

私は、米国法典第3:5編第1:19条(a)-(d)項又は3:6:5条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約3:6:5(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している。本出願の前に出願された特許または発明者証の外国出願を以下に、件内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

2000-220404

(Number) (番号)	Japan
2000-220405	Japan
(Number) (番号)	Japan
2002-272830	Japan

私は、第3:5編米国法典1:19条(e)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国法典第3:5編1:2:0条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約3:6:5条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第3:5編1:12条第1項又は特許協力条約で規定された方法で先行する米国特許出願に掲示されていない限り、その先行米国出願提出日以降で本出願の日本国内または特許協力条約国提出日の期間中に入手された、連邦規則法典第3:7編1:1:5:6項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

10/088,790 (Application No.) (出願番号)	21 March 2002 (Filing Date) (出願日)
PCT/JP01/06319 (Application No.) (出願番号)	23 July 2001 (Filing Date) (出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第1:18編第1:0:0:1条に基き、罰金または拘禁、もしくはその両方により处罚されること、そしてその上うな放棄による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed
優先権主張なし

21 July 2000 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
21 July 2000 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
19 September 2002 (Day/Month/Year Filed) (出願年月日)	<input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

Pending (Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続を米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁護士、または代理人の氏名及び登録番号を明記のこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

PTO Customer No. 22511

Send Correspondence to:

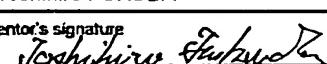
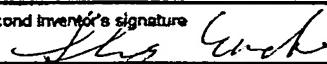
書類送付先

Jonathan P. Osha
Osha Novak & May L.L.P.
1221 McKinney St., Suite 2800
Houston, TX 77010

直接電話連絡先：（名前及び電話番号）

Direct Telephone Calls to: (name and telephone number)

Jonathan P. Osha
713-228-8600

唯一または第一発明者名		Full name of sole or first inventor Toshihiro FUKUDA	
発明者の署名	日付	Inventor's signature 	Date Jun. 25 2004
住所	Residence Maebashi-shi, Gunma, JAPAN		
国籍	Citizenship JAPAN		
私書箱	Post Office Address c/o NSK Steering Systems Co., Ltd. 78, Toriba-machi, Maebashi-shi, Gunma 371-0845, JAPAN		
第二共同発明者		Full name of second joint inventor, if any Shuji ENDO	
第二共同発明者	日付	Second inventor's signature 	Date Jun. 25 2004
住所	Residence Maebashi-shi, Gunma, JAPAN		
国籍	Citizenship JAPAN		
私書箱	Post Office Address c/o NSK Steering Systems Co., Ltd. 78, Toriba-machi, Maebashi-shi, Gunma 371-0845, JAPAN		

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

Japanese Language Declaration

Additional Inventor Signature Sheet

Full name of third inventor Hiroshi EDA	
Third inventor's signature 	Date July, 5, 2004
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name fourth inventor Osamu TATEWAKI	
Fourth inventor's signature 	Date July, 05, 2004.
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name of fifth inventor Kenichi HAYAKAWA	
Fifth inventor's signature 	Date July 6, 2004
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name of sixth inventor Hirotaka HATANO	
Sixth inventor's signature 	Date Jan. 30, 2004
Residence Atsugi-shi, Kanagawa, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Ltd., 5th Floor, Tobutaiho Bldg., 6-10, Naka-cho 2-chome, Atsugi-shi, Kanagawa 243-0018, JAPAN	

Japanese Language Declaration

Additional Inventor Signature Sheet

Full name seventh inventor Mineki OKAMOTO	Date
Seventh inventor's signature <i>Mineki Okamoto</i>	<i>Jun. 22, 2004</i>
Residence Kisarazu-shi, Chiba, JAPAN	
Citizenship JAPAN	
Post Office Address c/o Kisarazu National College of Technology 11-1, Kiyomidai Higashi 2-chome, Kisarazu-shi, Chiba 292-0041; JAPAN	

Full name eighth inventor	
Eighth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name ninth inventor	
Ninth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of tenth inventor	
Tenth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	